

Notice of Allowability

Application No.

10/695,399

Examiner

Uyen-Chau N. Le

Applicant(s)

PHILLIPS ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/29/2005.
2. ☒ The allowed claim(s) is/are 1-3,5-11 and 13-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>1906</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12/29/2005</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

Prelim. Amdt/Amendment

1. Receipt is acknowledged of the Amendment filed 29 December 2005.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. King on 09 January 2006 in order to place the instant application in the proper form for an allowance (i.e., to have proper support) by substituting "claim 41" with -- claim 1 -- in claim 5 and "claim 12" with -- claim 10 -- in claim 14.

The application has been amended as follows:

IN THE CLAIMS:

Re claim 5, line 1: Substitute "claim 41" with -- claim 1 --.

Re claim 14, line 1: Substitute "claim 12" with -- claim 10 --.

Allowable Subject Matter

3. Claims 1-3, 5-11 and 13-18 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The prior art of records and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure and method for batch processing a plurality of accounts receivable checks received by a merchant comprising, among other things/steps, suspends processing of unprocessed checks when a level of storage in the storage component exceeds the first capacity/a specified threshold value and prompts the user to issue the batch upload command to transfer the plurality of stored image data to the check processing service, wherein converting of checks is suspended until the stored check image data are uploaded to the check processing service as set forth in the claimed combinations.

The prior art of records to Lowery and Buchanan et al have been discussed above, but is silent with respect to suspending checks processing when a level of storage in the storage component exceeds the first capacity/a specified threshold value and prompts the user to issue the batch upload command to transfer the plurality of stored image data to the check processing service, wherein converting of checks is suspended until the stored check image data are uploaded to the check processing service.

Art Unit: 2876

The prior art of records to Higashiyama et al (US 5,175,682) discloses a method and structure for processing checks comprising a MICR reader 202 for reading magnetic account number printed on checks, which data is fed to POS terminal 201. The data record created by POS terminal 201 can be added to a data file maintained by POS terminal 201 for batch uploading to backroom processor 204, for example, on a periodic basis or at the end of a shift. Alternatively, POS terminal 201 sends the data record to backroom processor 204 immediately, or as soon as backroom processor 204 is able to receive it. Higashiyama et al further teaches the POS terminal 201 needs only have sufficient storage capacity to serve as a buffer when there are delays in the ability of backroom processor 204 to receive data, and priority uploads may be performed either by backroom processor 204 or POS terminal 201, in which small batches of records may be uploaded relatively frequently by backroom processor 204 either directly to a bank or to the clearing house (col. 5, lines 1-46). However, Higashiyama et al is also silent with respect to suspending checks processing when a level of storage in the storage component exceeds the first capacity/a specified threshold value and prompts the user to issue the batch upload command to transfer the plurality of stored image data to the check processing service, wherein converting of checks is suspended until

Art Unit: 2876

the stored check image data are uploaded to the check processing service.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on First Monday 5:30AM-1:30PM and Tues-Fri 5:30AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2876

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)..



Uyen-Chau N. Le
Primary Examiner
Art Unit 2876

January 9, 2006